

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

NICOLE WILLIAMS,	)	
	)	
Plaintiff,	)	
	)	No. 1:22-CV-168
v.	)	
	)	Judge Curtis L. Collier
FOOD CITY,	)	
	)	
Defendant.	)	

**JUDGMENT ORDER**

Before the Court is a motion by Plaintiff, Nicole Williams, to dismiss the case.<sup>1</sup> (Doc. 6.) The motion consists of the handwritten statement “I am filing this motion to dismiss this case” superimposed on a copy of the Court’s June 2022 Order Governing Motions to Dismiss. (*Id.*) The motion bears Plaintiff’s signature and a date of July 12, 2022. (*Id.*) No other party has yet appeared in the action.

A plaintiff may generally dismiss an action by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). Such a dismissal is without prejudice unless the notice states otherwise or the plaintiff has “previously dismissed any federal- or state-court action based on or including the same claim.” *Id.* 41(a)(1)(B). The Court has no information on whether any previous dismissals have been made.

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<sup>1</sup> Plaintiff is representing herself in this lawsuit. Filings by *pro se* litigants are liberally construed and “must be held to less stringent standards than formal pleadings drafted by lawyers.” *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (quoting *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)).

Plaintiff has the right to dismiss her action under Rule 41(a)(1)(A). The Court therefore **GRANTS** Plaintiff's motion (Doc. 6). Plaintiff's complaint is **DISMISSED**. The dismissal is with prejudice if Plaintiff has "previously dismissed any federal- or state-court action based on or including the same claim" as her present complaint, and without prejudice if not. *See* Fed. R. Civ. P. 41(a)(1)(B).

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**

ENTERED AS A JUDGMENT  
*s/ LeAnna Wilson*  
CLERK OF COURT